



Express Mail no. EV 346 810 997 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Judith Graham et al.

Confirmation No. 2563

Application No.: 10/621,359

Group Art Unit:

Filed: July 18, 2003

Examiner:

For: CREAMY FOODSTUFF AND
METHOD FOR PRODUCTION
THEREOF

Attorney Docket No.: 88265-6795

**RESPONSE TO MISSING PARTS
AND PAYMENT OF RETENTION FEE**

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

In response to the Notice to File Missing Parts of Non-Provisional Application mailed October 20, 2003, a copy of which is enclosed, Applicant respectfully requests, pursuant to 37 C.F.R. § 1.53(f), that the above-identified application be retained and not destroyed.

A retention fee of \$130.00 is believed to be due for the processing of this request. Please charge the required retention fee to Winston & Strawn Deposit Account No. 50-1814.

An extension of time for responding is also submitted.

The payment of this fee and the filing of the extension are intended to retain the July 18, 2003 filing date of this application and to maintain the application pending until May 20, 2004. A continuing application is filed on even date herewith, May 18, 2004, claiming priority of this application, such that co-pendency with this application is necessary and desired.

Respectfully submitted,

Date:

5/18/04

Allan A. Fanucci (Reg. No. 30,256)

WINSTON & STRAWN
Customer Number 28765
(212) 294-3311

EXPRESS MAIL LIST

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The following items listed below are being filed herewith with the USPTO on May 18, 2004

| Express Mail No. EV 346 810 997 US | | |
|---|----------------------------------|---|
| Attorney Docket No. | Appln. Serial No./ Patent No. | Items - Documents filed on May 18, 2004 |
| 88265-6795 | 10/621,359 | Petition for Extension of Time Under 37 CFR § 1.136(a) (in duplicate); Response to Missing Parts and Payment of Retention Fee; Copy of Notice |

***Please acknowledge receipt of these items as received by returning
the enclosed postcards with the date of receipt of May 18, 2004***

NY:863041.5



UNITED STATES PATENT AND TRADEMARK OFFICE

 UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/621,359 | 07/18/2003 | Judith Graham | 88265-6795 |

CONFIRMATION NO. 2563

FORMALITIES LETTER

OC000000011067578

28765

 WINSTON & STRAWN
 PATENT DEPARTMENT
 1400 L STREET, N.W.
 WASHINGTON, DC 20005-3502

Date Mailed: 10/20/2003

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

 Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450
A copy of this notice **MUST** be returned with the reply.

05/21/2004 ZJUHA1 00000081 501814 10621359

01 FC:1051 130.00 DA

 Adjustment date: 08/24/2007 SDIRETA1
 05/21/2004 ZJUHA1 00000081 501814 10621359
 01 FC:1051 130.00 CR

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE